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## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

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Date: September 20, 2006 Name: Joseph A. YosickSignature: Joseph A. YosickBRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: James Warren RUDOLPH

BPAI Appeal No.

Appln. No.: 10/776,395

2006-2409

Attorney Docket No: 4865-185

Client Ref. 1980037

## TRANSMITTAL

Board of Patent Appeals and Interferences  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## Attached are:

- ☒ Transmittal Letter; Notice of Hearing Confirmation.  
☐ No additional fee is required.  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$88=	
First Presentation of Multiple Dep. Claim					+ \$145=			+ \$290=	
					Total	\$		Total	\$

## Fee payment:

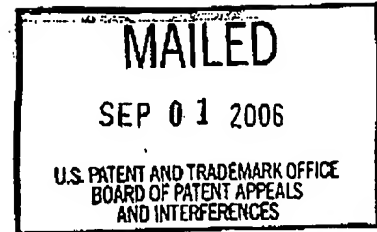
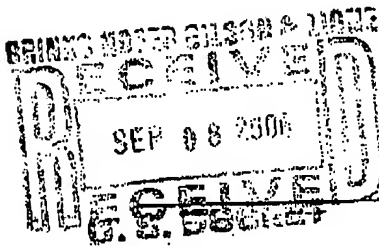
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$0.  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

9/20/06

Joseph A. Yosick  
Joseph A. Yosick (Reg. No. 51,082)  
Attorney for Appellant



## UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610

Appeal No: 2006-2409  
Appellant: James Warren Rudolph  
Application No: 10/776,395  
Hearing Room: A  
Hearing Docket: B  
Hearing Date: Wednesday, October 18, 2006  
Hearing Time: 01:00 PM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

**NOTICE OF HEARING**  
**CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED ☐ HEARING ATTENDANCE WAIVED

Joseph A. Lyons  
Signature of Attorney/Agent/Appellant

9/20/06  
Date

51,062  
Registration No.

Names of other visitors expected to accompany counsel: 0

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/gocounsel/contact.htm#bpa\\_contacts](http://www.uspto.gov/web/offices/dcom/gocounsel/contact.htm#bpa_contacts)